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REMARKS

Claims 1-37 are currently pending in the subject application and are presently under consideration. Claims 1-2, 6, 8-18 and 24-36 have been amended herein to cure minor informalities as shown on pages 2-6 of the Reply. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 2, 5-16, 18, 21, and 23-28 Under 35 U.S.C. §102(e)

Claims 1, 2, 5-16, 18, 21, and 23-28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Knutson *et al.* (US. 5,870,746). This rejection should be withdrawn for at least the following reasons. Knutson *et al.*, does not disclose or suggest each and every limitation set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim.* *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicants' claimed invention relates to an information agent system, application and methodology wherein the information agent system, for instance, provides a platform for executing information agent applications. The information agent applications that are supplied can then be programmed, for example, by end-users and employed as end-user executive assistants or agents. Independent claims 1 and 18 recite similar limitations, namely: *a plurality of folders comprising links to particular data files stored in the data storage component, the content of the folders being controlled at least in part by end-user specified preferences, the folders include any type of link collection defined by a set of relationships.* Knutson *et al.* does not disclose or suggest these exemplary features of the invention as claimed.

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Knutson *et al.* discloses a system and method that allows a user to segment and partition a database based upon attributes associated with data in the database, and more specifically to a system and method for generating reports from a computer database. The Examiner asserts that the cited document at col. 8, lines 1-6, col. 44, lines 13-14, col. 36, lines 30-32 and col. 7, lines 53-54, provides *a plurality of folders comprising links to particular data files stored in the data storage component*. Applicants' representative avers to the contrary. Col. 8, lines 1-6, disclose a client subsystem that includes a log-in module, folder management subsystem, segment builder, measure builder and measure relationship builder, analyst definition subsystem, InfoFrame viewing subsystem and MDT Administrator interface. Col. 44, lines 13-14, further disclose that a message code should be linked in both the sending and receiving processes. In addition, col. 36, lines 30-32 provide a service that informs the InfoFrame viewing subsystem that a data file has been updated, and col. 7, lines 53-54 disclose a database computer that includes one or more storage media. Applicants' representative respectfully submits that the foregoing does not disclose *a plurality of folders comprising links to particular data files stored in the data storage component*. Rather it would appear that the cited document provides a client subsystem having as one of its components a folder management subsystem (rather than a plurality of folders); that a message code (instead of a plurality of folders) is linked to both sending and receiving processes; that a service (rather than links incorporated within particular data files) informs the InfoFrame viewing subsystem that a data file has been updated; and that a database includes storage media. In view of the foregoing discrepancies, it is perplexing to applicants' representative's mind how these disparate items can be construed as remotely relating to a plurality of folders comprising links to particular data files stored in a data storage component.

The Examiner further asserts that *the content of the folders being controlled at least in part by end-user specified preferences* can be found at col. 43, lines 46-67, col. 8, lines 1-8, and col. 45, lines 30-31. Applicants' representative disagrees. Col. 43, lines 66-67, provide that a mdt_Message abstract base class defines the object that holds the content of an MDT interprocess message. In addition, as stated *supra*, col. 8, lines 1-6, disclose a folder management subsystem and col. 8, lines 6-8, further provide a log-in module that verifies that only one copy of the client subsystem is running on a computer.

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Moreover, col. 45, lines 30-31, state that control returns from the `csm_ReceiveProcess::Receive()` function to the caller function. Once again applicants' representative is puzzled as to how the noted passages can be construed as being related to *the content of the folders being controlled at least in part by end-user specified preferences* as recited in the subject claim. It is submitted that the indicated passages have no logical relationship to one another, and that the Examiner has merely identified incommensurable items within the cited document, that neither disclose nor suggest the claimed invention, upon which to base this rejection.

Additionally, the Examiner contends that col. 62, lines 36-37 and col. 8, lines 11-13, provide *content of the folders being controlled at least in part by end-user specified preferences*. Col. 62, lines 36-37, disclose that Drill Down partitions may be specified by the user in the analyst definition. Col. 8, lines 11-13, disclose that during logon a log-in module verifies a user's name and password and then retrieves any user preferences that may have earlier been defined. While applicants' representative acknowledges that user specified preferences may inherently be associated with the log-in module that verifies a user's name and password, the fact remains that the Examiner has failed to provide a logical basis upon which to base the assertion that Knutson *et al.* discloses the entirety of the subject claims.

Moreover, the Examiner asserts that col. 8, lines 1-6, col. 44, lines 13-14 and col. 12, lines 58-63, provide *the folders include any type of link collection defined by a set of relationships*. Applicants' representative once again disagrees. As stated *supra*, col. 8, lines 1-6, disclose a folder management subsystem, rather than a plurality of folders. Col. 44, lines 13-14, states that message code, in contrast to folders, should be linked into both sending and receiving processes. Further, col. 12, lines 58-63, disclose one of the four types of fundamental metadata provided in Knutson *et al.*, *viz.*, measure relationships that are simple expressions of business causality used to generate supporting information for an InfoFrame to alert a user to trends that run counter to the set of measure relationships. Applicants' representative once again is incredulous as to how this can be construed as pertaining to folders that are capable of including any type of link collection defined by a set of relationships.

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The Examiner is reminded that in order to evaluate claim language every limitation in the claim must be considered, and further that "Office personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation." (See MPEP §2106(II)(C)). It is submitted that the Examiner rather than considering the claim as a whole, has dissected the claim into discrete elements and thereupon has conducted an evaluation of the elements in isolation of one another, so much so that the Examiner has failed to provide a substantive foundation to sustain the instant rejection.

Furthermore, the Examiner is reminded that the standard by which anticipation is to be measured is *strict identity* between the cited document and the invention as claimed, not mere equivalence or similarity. See, *Richardson* at 9 USPQ2d 1913, 1920. This means that in order to establish anticipation under 35 U.S.C. §102, the single document cited must not only expressly or inherently describe each and every limitation set forth in the patent claim, but also the identical invention must be shown in as complete detail as is contained in the claim. The fact that the Examiner has been unable, with sufficient clarity, to correlate and provide the necessary interconnection between disparate and unrelated items disclosed in *Knutson et al.* leads applicants' representative to believe that the strict identity required to substantiate this 35 U.S.C. §102 rejection is nonexistent.

Accordingly, in view of at least the foregoing, withdrawal of the rejection of independent claims 1 and 18 (and claims that depend there from) is respectfully requested.

II. Rejection of Claims 3 and 4 Under 35 U.S.C. §103(a)

Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Knutson et al.* as applied to claim 1 above, and further in view of Bailey ("An-Event-Condition-Action Language for XML"). Reversal of this rejection is requested for at least the following reasons. Claims 3 and 4 depend from independent claim 1; and Bailey does not cure the aforementioned deficiencies of *Knutson et al.* with respect to independent claim 1. Accordingly, withdrawal of the rejection of claims 3 and 4 is requested.

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III. Rejection of Claims 17 and 29 Under 35 U.S.C. §103(a)

Claims 17 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* as applied to claims 1 and 18 above respectively, and further in view of Ku *et al.* (US 6,532,471). Withdrawal of this rejection is requested for at least the following reasons. Claims 17 and 29 depend from independent claims 1 and 18 respectively; and Ku *et al.* fails to makeup for the aforementioned deficiencies of Knutson *et al.* with respect to independent claims 1 and 18. Accordingly, it is believed that claims 17 and 29 are in condition for allowance and that this rejection should be reversed.

IV. Rejection of Claims 19, 20 and 22 Under 35 U.S.C. §103(a)

Claims 19, 20 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* as applied to claim 18 above, and further in view of Thuraisingham (US 5,481,700). This rejection should be withdrawn for at least the following reasons. Claims 19, 20 and 22 depend from independent claim 18, and Thuraisingham does not rectify the deficiencies presented by Knutson *et al.* with respect to such claim. Accordingly, reversal of this rejection is respectfully requested.

V. Rejection of Claims 30-37 Under 35 U.S.C. §103(a)

Claims 30-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* (US 5,870,746), Watters (US 6,490,781), and Saxe (US 6,343,376). Withdrawal of this rejection is requested for at least the following reasons. Knutson *et al.*, Watters and Saxe, either alone or in combination, fail to teach or suggest all limitations set forth in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation

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of success. Finally, the prior art reference (or references when combined) *must teach or suggest all the claim limitations*. See MPEP §706.02(j). The *teaching or suggestion to make the claimed combination* and the reasonable expectation of success *must be found in the prior art and not based on the Applicant's disclosure*. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Independent claim 30 recites *writing user preferences with respect to one or more named groups of data in accordance with a developer schema; executing user preferences in response to an event; and taking action based on a conditionally valid preference*. Neither Knutson *et al.*, Watters nor Saxe, individually and/or in combination, teach or suggest all the novel aspects of applicants' claimed invention.

The Examiner contends that Knutson *et al.* teaches *writing user preferences* at col. 13, lines 32-36 and col. 8, lines 11-13. Col. 13, lines 32-36 pertains to writing new Segments into a data warehouse, rather than writing user preferences as recited in the subject claim. Further, col. 8, lines 11-13, relates to a log-in module that verifies a user's name and password and then retrieves any user preferences that may have been defined earlier. Although col. 13, lines 32-36 discloses a writing element and col. 8, lines 11-13 provides a user preferences element, the combination of the two does not disclose writing user preferences because there is no logical relationship between the writing of new Segments as disclosed in col. 13, lines 32-36 and the user preferences that are accessed by the log-in module as provided by col. 8, lines 11-13. It is therefore submitted that the Examiner is misconstruing both the cited document and claims under consideration beyond the bounds of reasonable interpretation in order to substantiate the rejection.

The Examiner further asserts that Knutson *et al.*, at col. 3, lines 48-53 and col. 7, lines 11-13, provides *in accordance with a developer schema*. Col. 3, lines 48-53 provides that an Analyst specifies an event in the data that must trigger an Alert; or specifies the type of analysis and the business measures and segments to be reported on in an InfoFrame, and optionally the schedule on which this InfoFrame is to be generated or the event in the data that must trigger the InfoFrame. Col. 7, lines 11-13, discloses that a DSM (Data and Schema Manipulation) subsystem reads schema from a data

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warehouse, creates data views and creates a mapping between the two. How these two disparate and unconnected citations can be combined to teach *in accordance with a developer schema* is quite beyond applicants' representative's comprehension. While it is acknowledged that the word "schema" does appear within the ambit of col. 7, lines 11-13, the schema so disclosed has no relation whatsoever with the Analyst specified event as provided in col. 3, lines 48-53. This leads applicants' representative to once again assert that the Examiner is straining the bounds of reasonableness and is gravely misconstruing the cited document in order for it to conform to a perception that is untenable based on the teachings of Knutson *et al.*

Moreover, the Examiner asserts that Knutson *et al.* provides *executing user preferences in response to an event* at col. 10, lines 25-26, col. 8, lines 11-13, col. 8, lines 53-54 and col. 44, lines 62-64. Col. 10, lines 25-26 provide that a Scheduled Analysis will be submitted to a server for execution at a later date or periodic execution. Col. 8, lines 11-13 disclose a log-in module that verifies a user's name and password and then retrieves any user preferences that may have been defined earlier. Col. 8, lines 53-54 state that folder objects are created and deleted by a folder management subsystem in response to user requests, and col. 44, lines 62-64 provide a set of events that occur as a message is transmitted from one process to another using MDT (Management Discovery Tool) typed stream handles and a message registry. While it is acknowledged that a Scheduled Analysis is submitted to a server for execution; that a log-in module retrieves user preferences; that folder objects are created and deleted by a folder management subsystem at the behest of a user; and that a set of events that occur as a message are transmitted between two processes, the foregoing does not teach or suggest executing user preferences in response to an event. In fact nowhere in Knutson *et al.* is the execution of user preferences in response to an event taught or suggested. Thus it is submitted there is no rational basis within the teachings of Knutson *et al.* to substantiate this rejection.

In relation to the secondary and tertiary documents cited by the Examiner, it is submitted that neither makeup, either alone or in combination, for the aforementioned deficiencies of Knutson *et al.* Accordingly, withdrawal of this rejection with respect to independent claim 30, and associated dependent claims, is requested.

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CONCLUSION

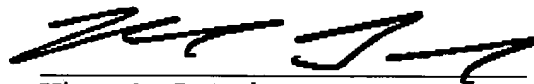
The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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